

By: Miller, Reynolds, Zerwas, Stephenson

H.B. No. 4179

Substitute the following for H.B. No. 4179:

By: Cole

C.S.H.B. No. 4179

A BILL TO BE ENTITLED

AN ACT

relating to the cemeteries in certain counties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 713, Health and Safety Code, is amended by adding Section 713.0271 to read as follows:

Sec. 713.0271. CEMETERY OWNED BY CERTAIN COUNTIES. A county with a population of more than 550,000 that borders a county with a population of more than 3.3 million may own, operate, and maintain a cemetery.

SECTION 2. Section 713.028(a), Health and Safety Code, is amended to read as follows:

(a) For purposes of historical preservation or public health, safety, or welfare, a commissioners court may use public funds, county employees, county inmate labor as provided by Article 43.10, Code of Criminal Procedure, and county equipment to maintain a cemetery that is at least ~~[has a grave marker more than]~~ 50 years old.

SECTION 3. Section 713.026(a), Health and Safety Code, is amended to read as follows:

(a) Except as provided by Sections 713.027, 713.0271, and 713.028, a trustee of a fund established under this subchapter or a member of the commissioners court or any other elected county officer may not pay or use public funds or county employees, equipment, or property to maintain a neglected or unkept public or

1 private cemetery.

2 SECTION 4. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2019.